

**IN THE FLORIDA STATE UNIVERSITY
SUPREME COURT**

CHRISTOPHER CYRILLE,
Appellant,
v.

SUPERVISOR OF ELECTIONS,
Appellee.

Published: February 22, 2014

SUMMARY

The Court examined this case on appeal. The Appellant, Mr. Christopher Cyrille, has asked this Court to find that the Elections Commission erred in failing to find he satisfied the conditions of the good faith exception stated in Student Body Statute 702.2(f)(16).

We hold the Elections Commission did abuse its discretion given the surrounding facts of the case before us. Hence, the decision is OVERTURNED.

BACKGROUND

As stated by the Appellant, the facts are as follows:

Mr. Cyrille, a freshman student at Florida State University, hoped to secure a seat on the Union Board in effort to become more involved with the University. In effort to further his goal, he attended the Union Board information session and completed the initial paperwork given to him in order to initiate the application process. He was then informed he had been chosen to advance to the next step in the process, which was an interview. Mr. Cyrille attended his interview on February 5th, 2014 and that Friday was informed he had been nominated to be on the ballot.

On February 10th, 2014, Mr. Cyrille discussed his possible future on the Union Board with an Ignite Party member and following that exchange sent an email to the party's campaign manager asking to be slated

with the Ignite Party. The next day, February 11th, he was slated with the Ignite Party and received no further instructions from either SGA or Ignite until 12:04PM on February 12 when he received an email from the Ignite Party campaign manager that he needed to submit a declaration of candidacy form by 4:00PM that same day. He was unable to access his email until 7PM that day therefore, his declaration of candidacy was submitted past the deadline and subsequently he was disqualified to run for a seat on the Union Board. In response, Mr. Cyrille appealed the decision to take his name off the ballot to the Elections Commission. The Elections Commission found that the good faith exception allowing them to overlook the violation of an Election Code statute had not been satisfied given the facts of this case.

STANDARD OF REVIEW

“Absent . . . fraud, lack of notice, or lack of an opportunity to be heard, this Court reviews only the record and questions of fact under an abuse of discretion standard while questions of law are examined de novo.” Impact Party v. Elections Commission, No. 97-111 (FSUUSC 1997) and Wood & James v. Elections Commission, No. 99-01 (FSUUSCC 1999). Pursuant to the aforementioned cases, this Court will review the matters of fact presented for abuse of discretion.

OPINION

CANNON, J., writes per curium

To determine whether the Elections Commission erred below, the Court considers whether the Elections Commission properly considered the relevant facts and circumstances to arrive at the conclusion the Appellant was not entitled to the good faith exception under Student Body Statute 702.2(f)(16). The Elections Commission found it relevant to focus on the fact the Appellant did not seek out further information

specifically addressing whether there was any other steps he needed to take to ensure his candidacy. This Court, however, found justice was served best to focus on the absence of timely notice given by SGA and the Ignite party about this requirement. There were several other potential candidates who failed to submit a declaration of candidacy form until the day of the deadline and did so only after they received the email requesting they do so. Given the Appellant's previous diligent efforts to run for this position, it can be inferred he would have promptly submitted the form if he had been able to access his email at the time it was sent. The Appellant acted diligently to secure a spot on the ballot for Union Board throughout the process concluding with his decision to run with the Ignite Party under the assumption it would provide guidance and a higher probability of success. It is the opinion of the Court the Appellant has put forth sufficient effort to find he acted in good faith and allow him a chance to run for the position irrespective of him missing the deadline for candidacy declarations.

Aside from issues regarding whether proper notice was given to candidates about the deadline, this Court finds there are important public policy concerns arising from the specific facts before us. The Appellant is a freshman and unfamiliar with the rules and procedures of Student Government at FSU. It is not the aim of the Student Body Statutes to deter freshman from getting involved by disqualifying them on the basis of minor procedural missteps. One of the many goals of Student Government is to encourage the student body to become more involved with the University on every level, and it is especially important to ensure freshman students feel comfortable engaging in organizations such as the Union Board. Therefore the Court feels to disqualify the Appellant based on a missed deadline of a few hours after he proceeded with all other required steps in good faith would be a miscarriage of justice.

The Court would like to make note that the result found in this case was based on the facts and circumstances specifically before us and does not preclude the disqualification of future candidates who fail to miss stated deadlines. Furthermore, we hope the opinion will encourage the Student Government Association to act more diligently on their part in providing notice to candidates regarding important deadlines in the future so as to minimize the likelihood situations such as these will arise.

CONCLUSION

For the aforementioned reasons, the FSU Student Supreme Court OVERTURNS the decision of the Election Commission and the Supervisor of Elections.

It is so ordered this 21st day of February 2014 in Tallahassee, Florida.

***Justice Wechsler did not participate in this decision.*